

**COUNCIL POLICY STATEMENT**

Policy No.	<u>43</u>
Date Issued	<u>December 17, 2002</u>
Effective Date	<u>December 17, 2002</u>
Cancellation Date	<u>                                    </u>
Supersedes No.	<u>                                    </u>

General Subject: Proposition E "Excess Dwelling"  
Unit Bank

Specific Subject: Established Policy for Number  
And Allocation of Proposition E  
"Excess" Dwelling Units

Copies to: City Council, City Manager, City Attorney, Department Heads and Division Heads,  
Employee Bulletin Boards, Press, File

**PURPOSE:**

To establish the City Council's policy regarding the number and the criteria for allocation of "excess" dwelling units which have become available as a result of residential projects being approved and constructed with less dwelling units than would have been allowed by the density control points of the Growth Management Plan approved by voters on November 4, 1986, as Proposition E.

**NUMBER OF DWELLING UNITS**

Notwithstanding the number of excess dwelling units that have accumulated in the city to date, as of the effective date of this policy, the number of excess dwelling units that are available for allocation to projects citywide is 2,800. Following the effective date of this policy additional dwelling units that become "excess" shall be added to the then-existing citywide balance. Excess units may be allocated to projects located in any quadrant so long as the number of residential units built in each quadrant does not violate the dwelling unit limitations established by Proposition E.

**STATEMENT OF POLICY**

Although it is not mandatory to use the excess dwelling units, the City Council authorizes consideration of allowing the excess units to be allocated to future "qualifying," residential projects. In order to "qualify" for an allocation of excess units, a project shall possess one or more of the following characteristics:

1. Housing Development for lower-income households where a density increase is requested pursuant to state law or to implement the city mandated 15% low-income requirement of the Inclusionary Housing Ordinance.
2. Senior citizen housing.
3. Housing located in the Village Redevelopment Area or the South Carlsbad Coastal Redevelopment Area.
4. Transit-oriented, "smart growth" development projects where increased residential density is being placed in close proximity to major transit facilities, employment opportunities and commercial support services.
5. Projects approved for a land use change from non-residential to residential or projects containing a mix of residential and non-residential.
6. Single family (R-1) development in an infill area where the base zone of the property allows a slightly higher yield of units than would be allowed by the growth management control point of the property's low or low-medium General Plan designation and where such yield would not exceed the maximum density at the top of the range of that General Plan designation by more than an additional 25 percent.

**CITY OF CARLSBAD**

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The number of excess units allocated to a particular "qualifying" project shall be at the sole discretion of the City Council, Planning Commission or Planning Director as appropriate and shall be based on the importance of the characteristic possessed by the projects or, where a project possesses multiple characteristics, the number and importance of the characteristics. In approving a request for allocation of excess dwelling units, the City Council shall consider the location of the requesting project and the compatibility of increased density with existing adjacent residential neighborhoods in accordance with the applicable principles of the General Plan.